

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police – Orders of the Hon'ble APAT, Hyderabad, dated 29.03.2010 in O.A.No.8538/2008 filed by Sri A.Sriram Kumar, Ex.Police Constable of Vijayawada City – Implementation - Orders – Issued.

HOME (SER-II) DEPARTMENT

G.O.Rt.No. 160

dated:7-2-2011

Read the following:

1. Govt Memo.No. 32148/Ser.II/A2/2008, dated: 24-4-2010
2. From the DGP, AP, Hyderabad, Lr.Rc.No.1281/E3/2006, dated 10.08.2010.

ORDER:

Sri A.Sriram Kumar was appointed as P.C. on 17.8.2005 in Vijayawada City Police and his services were placed under probation under Rule 16 & 17 of A.P. State and Subordinate Service Rules, 1996. The S.I. of Police, Krishnalanka P.S. of Vijayawada City has sent special report on the above P.C. for teasing a woman of Siddardha Mahila Kalasala. He was arrested on 12.9.2006 for above offence. As per Rule 17 (a) (ii) of A.P.State and Subordinate Service Rules, 1996, the probation of above P.C. 592 Sri A.Sri Ram Kumar, was ceased with effect from 13.9.2006 and he was terminated from service with effect from 12.10.2006 A.N. on the account of his unsatisfactory conduct vide proceedings C.No.4560/A1/2006, dated 12.10.2006. His appeal petition was considered and rejected by the Government vide Memo.No.4866/Ser.II/A2/2008-1, Home, dated 1.4.2008, as there is no provision for an appeal against termination of probation under Rule 17 (a) (ii) of A.P. State and Subordinate Service Rules, 1996.

2. Aggrieved by the above, Sri A.Sriram Kumar, Ex.PC, has filed an O.A.No.8538/2008 in the Hon'ble APAT, challenging the orders of termination of probation issued by the C.P., Vijayawada and orders of the Government issued in Memo.No.4866/Ser.II/A2/2008-1, dated 1.4.2008. The Hon'ble APAT have passed orders on 29.03.2009 in O.A.No.8538/2008 setting aside the Proceedings C.N.4560/A1/2006, dated 12.10.2006 of the C.P., Vijayawada City and Govt. Memo.No.4866/Ser.II/A2/2008-1, Home, dated 1.4.2008 and directed the respondents to reinstate the applicant into service. The Hon'ble APAT have also informed that the respondents are at liberty to initiate disciplinary action against the applicant, if so desired, and take appropriate action as per rules.

3. In the reference 1st read above, Government have requested the DGP, AP, Hyderabad, to obtain the opinion of the G.P. for Services-I, High Court of A.P., on the orders of the Hon'ble APAT in O.A.8538/2008 and then take appropriate action in the matter.

4. In the reference 2nd read above, the DGP, AP, Hyderabad, has stated that the G.P.for Ser.I, Hon'ble High Court has opined that it is not a fit case to challenge the decision of the Hon'ble Tribunal by filing WP. The DGP, AP, Hyderabad has requested the Government for orders in the matter.

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5. Government, after careful examination of the matter, hereby decide to implement the orders of the Hon'ble APAT dated: 29.03.2009 in O.A.No.8538/2008 i.e to reinstate Sri A.Sriram Kumar, Ex.Police Constable of Vijayawada City into service and also to initiate disciplinary action against him.

6. The Director General of Police, Andhra Pradesh, Hyderabad, is requested to take necessary action to reinstate the Sri A.Sriram Kumar, Ex.Police Constable of Vijayawada City into service and initiate disciplinary action against him as per rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, AP, Hyderabad
The Commissioner of Police, Vijayawada
The individual through DGP, AP, Hyderabad
Sc/Sf

// Forwarded:: By order//

SECTION OFFICER